

Burns Harbor Town Council
Regular Meeting
November 9, 2016

The Town Council of the Town of Burns Harbor, Porter County, Indiana met in its regular session on Wednesday, November 9, 2016 in the Town Hall. The meeting was called to order by Council President, Raymond Poparad at 7:00 p.m.

The Pledge of Allegiance to the American Flag was recited.

Roll Call: Toni Biancardi ----- Present

Andrew Bozak ----- Present

Eric Hull ----- Present

Raymond Poparad ---- Present

Marcus Rogala ----- Present

Clerk-Treasurer Jane Jordan was present. A quorum was attained.

Additional Officials Present: Attorney Clay Patton, Martin Bobcek from Global Engineering and Land Surveying, Town Marshal Michael Heckman, Street Superintendent Pat Melton and Building Commissioner/Fire Chief/Sanitation Superintendent William Arney.

Approval of Minutes:

Councilman Rogala made a motion to approve October 12, 2016 executive meeting minutes.

Councilwoman Biancardi seconded the motion. Councilwoman Biancardi – Aye, Councilman Bozak – Aye, Councilman Hull – Aye, Councilman Poparad – Aye, Councilman Rogala – Aye.

Motion passed.

Councilman Rogala made a motion to approve October 12, 2016 meeting minutes.

Councilwoman Biancardi seconded the motion. Councilwoman Biancardi – Aye, Councilman Bozak – Aye, Councilman Hull – Aye, Councilman Poparad – Aye, Councilman Rogala – Aye.

Motion passed.

Councilman Rogala made a motion to approve October 20, 2016 executive meeting minutes.

Councilwoman Biancardi seconded the motion. Councilwoman Biancardi – Aye, Councilman Bozak – Aye, Councilman Hull – Aye, Councilman Poparad – Aye, Councilman Rogala – Aye.

Motion passed.

Reports:

Clerk-Treasurer Jordan informed the Council she and Sanitary Secretary Peffers will be attending a software users' meeting in Wabash tomorrow. Clerk-Treasurer Jordan also informed the Council that the Association of Public Treasurers of United States and Canada presented her the Certified Public Finance Investment Manager; Jordan is one of only three Treasurers in the State of Indiana to hold this certification.

Street Superintendent Melton made a recommendation to hire Richard Fladeland. Councilman Rogala made a motion to hire Richard Fladeland as Street Department full-time Laborer.

Councilman Hull seconded the motion. Clerk-Treasure Jordan asked his full-time hire date.

Councilman Poparad stated starting tomorrow (November 10). Councilwoman Biancardi – Aye, Councilman Bozak – Aye, Councilman Hull – Aye, Councilman Poparad – Aye, Councilman Rogala – Aye.

Motion passed.

Town Marshal Heckman made a recommendation to hire Kyle Poracky. Councilman Hull made a motion to hire Kyle Poracky as full-time Deputy Marshal. Councilman Bozak seconded the motion.

Councilman Poparad stated starting tomorrow (November 10). Councilwoman Biancardi – Aye, Councilman Bozak – Aye, Councilman Hull – Aye, Councilman Poparad – Aye, Councilman Rogala – Aye.

Motion passed.

Building Commissioner Arney made a recommendation to hire Randal Lopez. Councilwoman Biancardi made a motion to hire Randal Lopez as part-time, thirty hours a week, Building Commissioner/Inspector/Code Enforcement beginning January first. Councilman Bozak seconded the motion. Councilwoman Biancardi – Aye, Councilman Bozak – Aye, Councilman Hull – Aye, Councilman Poparad – Aye, Councilman Rogala – Aye.

Motion passed.

Park Board representative Kylene Tumblin thanked the Street Department for removing the old playground equipment, pee gravel and tree debris from Lakeland Park. The Santa Dash will be December 10th. The run is free but, donations for Toys for Tots and Westchester Food Pantry are encouraged. Donation boxes will be placed at the Town Hall and around the Town. The new

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playground equipment is expected to be installed at the end of November and Lego Club is November 13th.

Councilman Bozak asked once the construction is complete on Haglund, are they going to fix the road back to town standards. Councilman Poparad stated the ditches that are tore up, road everything will be put back as it was as part of the utility work.

The following purchase orders were presented for discussion: purchase order #2439.

Correspondence:

IDEM – Notice of Public Comment – PSC Metals, Inc. contractor for ArcelorMittal

Presentations, Resolutions, Ordinances and Remonstrance:

Resolution 2016-21 MasterLink Concrete Pumping, LLC for an assessed valuation deduction:

Attorney Patton stated Mr. Slater's attorney prepared the declaratory resolution and forwarded it to me. He, also, had the statement of benefits, the vacant building deduction, the tax payer as 347 Melton LLC, which is a sister business owned by Mr. Slater. He had documentation from the current owner of the property giving authorization to Mr. Slater and his business to apply for the tax abatement. To avoid any confusion, the current owner 347 West Melton Road LLC signed on behalf of that entity to give the applicate 347 Melton LLC, Mr. Slater, the authorization to apply for this. I have been in communications with Mr. Slater's attorney who prepared the resolution. He also prepared the confirmatory resolution which I advised him the Town would not do both at the same meeting. That would likely be at the December meeting. A concern and issue I did raise when I forwarded to the Clerk-Treasure and the President was, the schedule of deduction which, was purposed at one hundred percent for all of ten years. In my experience, that has not been the standard.

Councilman Poparad stated Steve (Slater) you checked in with the State on an abandoned building and that is their policy from the State side?

Mr. Slater stated there are a couple of different breeds of tax abatement. Three years ago, the State, in recognition of the difficulty of bring a building back to life and the decrepit nature of the building, put this into statute; you can ask for that level of abatement. I might add our intention is not only to rehab that building, bring it back to life, have it look good, cleaned up, but, also put an access drive in so we can get to those other two lots and hopefully develop those in years to come. That would not be under this abatement though.

Attorney Patton stated and if I heard you right, the statue authorizes but, does not require the Town to give such a generous abatement for those ten years.

Councilman Poparad stated we would still need a hearing for this which, we could set up for December.

Clerk-Treasurer Jordan stated we can meet that December deadline if a hearing is required.

Attorney Patton stated yes, we would have to have a hearing.

Clerk-Treasurer Jordan stated that is a ten day notice. Once we received this request, we would not have made the ten day notice for tonight's meeting.

Councilman Bozak stated would we at that time, discuss the one hundred percent for ten years?

Councilman Poparad stated that is when we would set it or does it need to be advertised stating that amount.

Clerk-Treasurer Jordan stated you would state you are having a public hearing establishing an ERA.

Councilman Hull made a motion to advertise for a public hearing at December's meeting. Councilwoman Biancardi seconded the motion. Councilwoman Biancardi – Aye, Councilman Bozak – Aye, Councilman Hull – Aye, Councilman Poparad – Aye, Councilman Rogala – Aye.
Motion passed.

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Councilman Bozak stated if we decided we are not okay with the one hundred for ten years, is that going to delay him another month? Is that a conversation we need to have tonight?

Councilman Poparad stated we will make that decision at the hearing.

Resolution 2016-22 Town's budget transfer:

Councilman Rogala made a motion that the Town adopts **RESOLUTION 2016-22** BE IT HEREBY RESOLVED BY THE TOWN COUNCIL of the TOWN OF BURNS HARBOR, PORTER COUNTY, INDIANA that the following transfer of funds be made within the Town Department's 2016 budget:

\$5,400.00 from Health Insurance, 1-123
to Other Equipment, 1-444.

Councilman Hull seconded the motion. Councilwoman Biancardi – Aye, Councilman Bozak – Aye, Councilman Hull – Aye, Councilman Poparad – Aye, Councilman Rogala – Aye.

Resolution 2016-22 passed and was adopted.

Resolution 2016-23 Marshal department's budget transfer:

Councilman Bozak made a motion that the Town adopts **RESOLUTION 2016-23** BE IT HEREBY RESOLVED BY THE TOWN COUNCIL of the TOWN OF BURNS HARBOR, PORTER COUNTY, INDIANA that the following transfer of funds be made within the Marshal Department's 2016 budget:

\$ 7,050.00 from Insurance, 2-342
into Other Equipment, 2-444.

Councilman Rogala seconded the motion. Councilwoman Biancardi – Aye, Councilman Bozak – Aye, Councilman Hull – Aye, Councilman Poparad – Aye, Councilman Rogala – Aye.

Resolution 2016-23 passed and was adopted.

Resolution 2016-24 Board of Zoning Appeal's budget transfer:

Councilman Bozak made a motion that the Town adopts **RESOLUTION 2016-24** BE IT HEREBY RESOLVED BY THE TOWN COUNCIL of the TOWN OF BURNS HARBOR, PORTER COUNTY, INDIANA that the following transfer of funds be made within and between the Board of Zoning Appeals Department's 2016 budgets:

\$ 250.00 from Other Supplies, 7-243
\$ 108.00 to Secretary Salary, 7-111
\$ 142.00 to Legal Services, 7-314.

Councilman Rogala seconded the motion. Councilwoman Biancardi – Aye, Councilman Bozak – Aye, Councilman Hull – Aye, Councilman Poparad – Aye, Councilman Rogala – Aye.

Resolution 2016-24 passed and was adopted.

Resolution 2016-25 Park department's budget transfer:

Councilman Bozak made a motion that the Town adopts **RESOLUTION 2016-25** BE IT HEREBY RESOLVED BY THE TOWN COUNCIL of the TOWN OF BURNS HARBOR, PORTER COUNTY, INDIANA that the following transfer of funds be made within the Park Department's 2016 budget:

\$ 490.00 from Park Insurance, 9-342
into Park Other Equipment, 9-444.
\$3,267.00 from Park Non-Reverting Operating Other Supplies, 9-243
\$1,300.00 into Park Non-Reverting Operating Miscellaneous Services, 9-392
\$1,967.00 into Park Non-Reverting Operating Other Equipment, 9-444

Councilwoman Biancardi seconded the motion. Councilwoman Biancardi – Aye, Councilman Bozak – Aye, Councilman Hull – Aye, Councilman Poparad – Aye, Councilman Rogala – Aye.

Resolution 2016-25 passed and was adopted.

Resolution 2016-26 Redevelopment Commission's budget transfer:

Councilman Bozak made a motion that the Town adopts **RESOLUTION 2016-26** BE IT HEREBY RESOLVED BY THE TOWN COUNCIL of the TOWN OF BURNS HARBOR, PORTER COUNTY, INDIANA that the following transfer of funds be made within the Redevelopment Commission General Fund's 2016 budget:

\$ 33,800.00 from Miscellaneous Services, 1-342
\$30,000.00 into Engineering Services, 1-315
\$ 700.00 into Other Equipment, 1-444
\$ 3,100.00 into Other Capital Layouts, 1-449.

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Councilwoman Biancardi seconded the motion. Councilwoman Biancardi – Aye, Councilman Bozak – Aye, Councilman Hull – Aye, Councilman Poparad – Aye, Councilman Rogala – Aye.
Resolution 2016-26 passed and was adopted.

Resolution 2016-27 Building department's budget transfer:

Councilman Hull made a motion that the Town adopts **RESOLUTION 2016-27 BE IT HEREBY RESOLVED BY THE TOWN COUNCIL of the TOWN OF BURNS HARBOR, PORTER COUNTY, INDIANA** that the following transfer of funds be made within the Building Department's 2016 budget:

\$ 1,000.00 from Instruction, 5-311
into Other Equipment, 5-444.

Councilman Rogala seconded the motion. Councilwoman Biancardi – Aye, Councilman Bozak – Aye, Councilman Hull – Aye, Councilman Poparad – Aye, Councilman Rogala – Aye.

Resolution 2016-27 passed and was adopted.

New Business:

State grant paving projects proposal for bids:

Councilman Poparad informed the town engineer the Town wants to go open bids in December for the roads submitted for paving so we'll be first in line for paving next year.

Councilman Rogala asked if the Town would be adding any roads to that bid other than the roads we applied for in the grant.

Councilwoman Biancardi stated Shem (Khalil Hesham) from Global mentioned we will want to make a decision on drainage over on Westport (Road) to make sure that is included.

After further discussion, Martin Bobcek from Global Engineering and Land Surveying stated when they are reviewing the bid documents I would suggested not having additional roads.

Gayle VanLoon, Burns Harbor resident of North Boo Road, asked are you doing West North Boo Road.

Councilwoman Biancardi stated we coordinated it based upon the money that was available and we have a list of roads that are categorized on a need to be done. The whole West North Boo Road would cost about three hundred thousand dollars. If we do it in the future, requesting grant money, we'll have to piece it to be able to do it unless we can match it with money.

Brad Enslen, Burns Harbor resident of Sherman Avenue asked if the Town would do some crack sealing to extend the life of the roads.

Street Superintendent Melton stated last year we did quite a bit. We did not have time for this year but plan to do some more next year.

After discussion, Councilman Rogala made a motion to bid the paving project; bids will be opened at December's meeting. Councilman Bozak seconded the motion. Councilwoman Biancardi – Aye, Councilman Bozak – Aye, Councilman Hull – Aye, Councilman Poparad – Aye, Councilman Rogala – Aye. **Motion passed.**

Keystone Software support discontinued for Budget software transitioning to Fund software:

Clerk-Treasurer Jordan informed the Council that Keystone will no longer support their Budget application and submitted a quote to transition to their Fund application. The quote was fifty-seven hundred fifty dollars. This cost includes license, installation, data conversion and three days training. If we sign a contract after January 1st the cost will increase by fifteen percent.

Councilman Bozak made a motion that the Town purchases the Keystone Fund software for fifty-seven hundred fifty dollars. Councilwoman Biancardi seconded the motion. Councilwoman Biancardi – Aye, Councilman Bozak – Aye, Councilman Hull – Aye, Councilman Poparad – Aye, Councilman Rogala – Aye. **Motion passed.**

Street light locations:

Councilman Bozak indicated he was contacted by a resident requesting a street light be installed at the corner of Stanley Street on south side of Haglund Road to light the bus stop.

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Council directed Town Marshal Heckman to take a street light inventory and report back at the next Council meeting.

County income tax use two year plan:

Councilwoman Biancardi made a motion that the Town's 2017 and 2018 County Economic Development Income Tax (CEDIT) should be used for road paving. Councilman Hull seconded the motion. Councilwoman Biancardi – Aye, Councilman Bozak – Aye, Councilman Hull – Aye, Councilman Poparad – Aye, Councilman Rogala – Aye. **Motion passed.**

Town Board terms expiring December 31, 2016:

Councilman Poparad reminded those present that there are appoints expiring on all Boards. Anyone interested in servicing should submit an application.

Approval to Pay Vouchers:

Councilwoman Biancardi moved to approve all vouchers with three or more signatures. Councilman Rogala seconded the motion. Councilwoman Biancardi – Aye, Councilman Bozak – Aye, Councilman Hull – Aye, Councilman Poparad – Aye, Councilman Rogala – Aye. **Motion passed.**

Approval of Financial Report:

Councilwoman Biancardi moved to approve the October 2016 financial report. Councilman Hull seconded the motion. Councilwoman Biancardi – Aye, Councilman Bozak – Aye, Councilman Hull – Aye, Councilman Poparad – Aye, Councilman Rogala – Aye. **Motion passed.**

Old Business:

Burns Harbor's State Bicentennial ceremony:

Councilman Poparad informed those present the plaque has arrived. The line has been located.

Street Superintendent stated I planned to install the pole tomorrow.

Clerk-Treasurer Jordan informed the Council there is a large reimbursement claim made to the Clerk-Treasurer in this month's claims. The plaque was special order and the vendor required a deposit before they would make the plaque. Since the Town cannot pre-pay or pay deposits for items, the Clerk-Treasurer personally paid for the plaque. Once the plaque was delivered to the Town, Jordan had the Town reimburse her the cost of the plaque.

Council consensus was to have a ceremony on December 11th with refreshments back at Town Hall. Councilwoman Biancardi and Clerk-Treasurer Jordan will advertise and plan the event.

Good of the Order of the Community:

Councilman Bozak thanked the Police and Fire Departments for their presents during Trick-or-Treat on Halloween.

Gayle VanLoon, Burns Harbor resident of North Boo Road, expressed her concerns with taking ownership of State Road 149 to build a boulevard. Councilman Poparad stated that is not something this Board has discussed you should talk to the Redevelopment Commission.

Councilman Bozak made a motion to pay Tyler Poracky \$20.00 per hour and pay Richard Fladeland \$23.11 per hour. Councilwoman Biancardi – Aye, Councilman Bozak – Aye, Councilman Hull – Aye, Councilman Poparad – Aye, Councilman Rogala – Aye. **Motion passed.** Clerk-Treasurer Jordan was directed to send a copy of the current salary ordinance to the Council for review and possible changes to the sliding scales.

Councilman Poparad asked Town Marshal Heckman about the purchase order for new vehicle. Town Marshal Heckman said the new vehicle will be used by Officer Chandler. Officer Poracky will take Chandler's vehicle. No vehicles will be decommissioned at this time giving the police department two marked and one unmarked car for part-time officers' use and spare vehicles.

Council consensus was to have Clerk-Treasurer Jordan advertise for an additional appropriation public hearing for their December meeting.

Fire Chief Arney informed the Council that he will be on vacation at the end of November through December 4th and will be unreachable.

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Clerk-Treasurer was directed to provide the Council with current employee comp time policies for review.

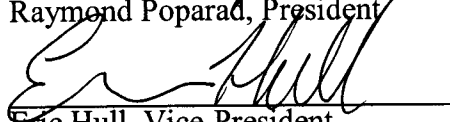
Fire Chief Arney thanked the everyone who attended the Fire Department's Annual Spaghetti Dinner. The Fire Department is preparing for their Shop with a Firefighter and asked for names of any families in need.

Councilman Poparad wished everyone a Happy Thanksgiving.


Councilman Rogala made a motion that we adjourn. Councilwoman Biancardi seconded the motion. Councilwoman Biancardi – Aye, Councilman Bozak – Aye, Councilman Hull – Aye, Councilman Poparad – Aye, Councilman Rogala – Aye. **Motion passed.**

There being no further business to discuss, the meeting concluded at 8:02 p.m.

TOWN COUNCIL OF THE
TOWN OF BURNS HARBOR


Raymond Poparad, President
Eric Hull, Vice-President
Toni Biancardi
Andrew Bozak
Marcus Rogala

ATTEST:


Jane M. Jordan, IAMC, MMC, CPFA, CPFIM
Clerk-Treasurer